IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (LODG.) NO.3080 OF 2004
WITH
WRIT PETITION (LODG.) NO.3081 OF 2004

Maharashtra Suraksha Rakshak Aghadi ..Petitioner.
Vs.
The Security Guards Board of Gr. Bombay
and Thane District & Ors. ..
Respondents.

....

Mr. Susheel Mahadeshwar for the petitioner.
Mr. M.S. Topkar for respondent No.1.

....

CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J.
20th December, 2004.

P.C. :

Rule. The learned counsel appearing for respondent No.1 waives service of rule. By consent, the matter is taken up for final hearing today.

2. We have heard the learned counsel appearing for the parties.

3. These petitions are filed by the petitioners for the grant of an appropriate relief in favour of the Security Guards, in accordance with the provisions of the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981 ("the Act", for short) and the Scheme framed thereunder.

4. Our attention was invited to the relevant provisions of the Act and a decision of the Division Bench of this Court in Maharashtra Suraksha Rakshak Aghadi & Anr. Vs. State of Maharashtra & Anr. (2002) 4 Mh. L.J. 758.

5. Reading the relevant provisions of the Act and the Scheme, it is clear that for getting the benefits of the Act, the petitioners' have to get themselves registered with the Board. The learned counsel appearing for the petitioners stated that they would make an appropriate application for getting registration with the Board. Such an application will be made within ten days from today. The Board will consider the same, and take an appropriate decision in accordance with law, keeping in mind the provisions of the Act and the Scheme as amended from time to time.

6. Respondent No.2 is not present though served. Respondent No. 2 would apply for registration within six weeks from today and we direct the Security Guards Board for Greater Bombay and Thane District to register the applicants mentioned in Exhibit A to the petition.

7. It is need less to say that as far as possible, while allotting the services of the Security Guards, the Board will keep in mind the fact that the Security Guards, petitioners herein, were working with the Second Respondent. The Board will try to accommodate them as far as possible.

8. Ad-interim relief granted by this Court on 18th November, 2004 will continue till the disposal of the applications of the petitioners as well as of respondent No.2 by the Board.

9. The order passed by us will apply to all respondents. It would be without prejudice to the rights and contentions of the respondents.

10. Rule is made absolute in the above terms. No costs.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD,

J.